IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

Writ Petition No. l080 of 2005

Mah State Road Transport Corpn ..Petitioner

vs

S.V Gaikwad .. Respondent

CORAM: A.P.SHAH J.

Dated 10.6.2005

P.C:

. Petitioner and its advocate are absent.

. The respondent who was in the employment of the Corporation for more than 9 years had remained absent for 7l days. It was the case of the respondent that during this period had fallen ill and he applied for leave but the same was not granted. The labour court held that in the facts and circumstances of the case the penalty of dismissal is harsh and excessive and granted reinstatement without backwages. The workman has been deprived of backwages for more than 5 years and this itself would be sufficient punishment. In the circumstances no interference is called for with the impugned order. Petition is dismissed.